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BEIJING JUNENG ASIA PACIFIC LIFE SCIENTIFIC RESEARCH CENTER

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12 Attorneys for Defendants
BONEPHARM, INC., KAI YU, and CHUNHUA LI

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

17 GIANTCEUTICAL, INC.
18 dba BIOCALTH INTERNATIONAL, INC.,
19 a California Corporation; and
BEIJING JUNENG ASIA PACIFIC LIFE
SCIENTIFIC RESEARCH CENTER,
a Chinese business entity;

Case No. C 04-04495 MMC

**STIPULATED REQUEST TO VACATE
PRETRIAL DATES AND SET STATUS
CONFERENCE RE: SETTLEMENT
STATUS**

~~PROPOSED~~ ORDER

20 || Plaintiffs,

21 || v.

22 BONEPHARM, INC., a California corporation;
23 KAI YU, an individual;
24 QINGQI CHEN, an individual;
25 JUSHENG LU, an individual;
26 CHUNHUA LI, an individual;
GRUICHAD FU, an individual;
AMY JIE BING LU, an individual;
JIN YUAN MAI, an individual; and
DOES 1 through 20, Inclusive.

Defendants.

1 The parties in this case have reached an agreement in principle that should result in a full
2 settlement of this case as to all defendants, and are currently working to finalize the terms of
3 settlement. Accordingly, Plaintiffs GIANTCEUTICAL, INC. dba BIOCALTH
4 INTERNATIONAL, INC., and BEIJING JUNENG ASIA PACIFIC LIFE SCIENTIFIC
5 RESEARCH CENTER and defendants BONEPHARM, INC., KAI YU, and CHUNHUA LI
6 respectfully jointly request the Court vacate the current pretrial and trial dates set in this matter
7 and set a status conference on a date and time convenient for the Court approximately sixty (60)
8 days from the date of this stipulation, to allow time for the parties to finalize their settlement
9 agreement.

10 The parties agree to advise the Court is the status of the parties' settlement efforts changes
11 prior to the date set by the Court for the status conference.

12 A proposed order accompanies this stipulated request.

13 DATED: January 25, 2006

MACPHERSON KWOK CHEN & HEID LLP

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15 By _____/s/
16 Clark S. Stone
17 Attorneys for Plaintiffs
18 GIANTCEUTICAL, INC.
19 dba BIOCALTH INTERNATIONAL, INC. and
20 BEIJING JUNENG ASIA PACIFIC LIFE
21 SCIENTIFIC RESEARCH CENTER

22 DATED: January 25, 2006

23 LAW OFFICES OF JASON J. LEE & ASSOCIATES

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25 By _____/s/
26 Jason J. Lee
27 Attorneys for Defendants
28 BONEPHARM, INC., KAI YU, and
CHUNHUA LI

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

The pretrial and trial dates in this matter are hereby VACATED. The parties shall appear before the Court for a Joint Status Conference concerning settlement on March 31, 2006 at 10:30 a.m.

The parties are further order to file an updated Case Management Conference Statement with the Court on or before March 24, 2006.

DATED: January 26, 2006

Maxine M. Chesney
HON. MAXINE M. CHESNEY
United States District Judge